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Express Mail No.: EL 500 576 216 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Friend et al.

Confirmation No.: 1718

RECEIVED

OCT 08 2002

Application No.: 09/783,474

Group Art Unit: 1631

TECH CENTER 1600/2900

Filed: February 14, 2001

Examiner: Marschel, A.

For: METHODS OF MONITORING DISEASE STATES  
AND THERAPIES USING GENE EXPRESSION  
PROFILES

Attorney Docket No.: 9301-129

## FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	9	MINUS	21	=	0	× 9	\$ 0.00	× 18	\$
INDEP.	1	MINUS	5	=	0	× 42	\$ 0.00	× 84	\$
<input checked="" type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						140	\$ 0.00	280	\$
						TOTAL	\$ 0.00	OR TOTAL	\$

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date October 4, 2002

Adriane M. Antler 32,605  
Adriane M. Antler (Reg. No.)

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Enclosure



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Examiner: Marschel, A.

For: METHODS OF MONITORING  
DISEASE STATES AND  
THERAPIES USING GENE  
EXPRESSION PROFILES

Attorney Docket No: 9301-129

H6/C  
Plunkett  
10/13/02

RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY  
AMENDMENT UNDER 37 C.F.R. 1.115

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed September 5, 2002 in connection with the above-identified patent application and in accordance with Rule 115 of the Rules of Practice, please enter the following amendments and consider the following remarks. Applicants submit herewith: 1) Exhibit A: marked version of the amended claims showing changes made; 2) Exhibit B: clean version of the pending claims, as amended; and 3) Amendment Fee Transmittal (in duplicate) accompanied by the appropriate fee.

IN THE CLAIMS:

A marked version of the claims showing the amendments is attached hereto as Exhibit A. Matter that has been deleted from claims 52-59<sup>1</sup> is indicated by brackets and matter that has been added is indicated by underlining. A clean version of the pending claims, as amended, is attached hereto as Exhibit B.

Please amend the claims as follows:

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<sup>1</sup> In the Preliminary Amendment filed on February 14, 2001, claims 51-69 were inadvertently misnumbered as claims 57-75, respectively. This misnumbering was corrected by the Examiner in the Office Action dated September 5, 2002. Thus, in the instant response the correct claim numbering is used.